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cont.

[Docket No. H 3497 PCT/US
Serial No. 09/856,236]

soluble or water-dispersible polymers with WDP gypsum particles wherein the WDP gypsum particles are obtained from waste-gas desulphurization plants and have a particle size distribution mean diameter ranging from 13 μm to 500 μm to form the composition.

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30. (amended) A composition selected from the group consisting of a surface coating, a surfacing compound, a sealing compound, an adhesive and a molding composition prepared by the process of claim 28

Remarks:

Status of the claims:

Claims 12-30 are pending

Response to rejections under 35 USC 112:

Claims 14, 15, 18, 19, 23, 26-28 and 30 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Applicants respectfully request the withdrawal of this rejection in view of the foregoing amendment and following comments.

The Examiner considers the term "other type" in claims 14, 15, 18, 19, 23 and 26 as being indefinite. Applicants note that since claim 26 does not include the disputed term and claim 27, in fact, does, it is presumed that the Examiner intended to refer to claim 27. The following comments are made with this understanding. With regard to the grounds for this rejection, Applicants respectfully traverse. The term "other type" [of inorganic filler] is in fact defined in the specification as filed at page